

Attorney Docket No. 06618-641001  
Amdt. dated July 24, 2003  
Reply to Office Action dated February 25, 2003

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-3, 5, 10-12, 14-16 and 20-22 stand rejected under 35 USC 102(b) as allegedly being anticipated by Koschwitz.

The undersigned has not obtained a full translation of Koschwitz, but has had the sentence at column 1, lines 20-24 informally translated. That sentence is believed to roughly translate to "the rod is adjusted to adjust the resonant frequency to an area outside the 'working area'."

In view of this sentence, each of the claims have been amended. Specifically, each of the claims have been amended to recite that a sound damping material is pressed against the resonating element. This is part of the subject matter of claim 7, which was rejected as allegedly being obvious. The rejection of claim 7 stated that it would have been obvious to use a washer for a nut engagement. However, this stated nothing about a sound damping material associated with the connection.

Nothing in Koschwitz appears to teach or suggest use of the sound damping material. An advantage of this system is to minimize the vibration of the rod when adjusting the resonant

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frequency. Since nothing teaches or suggests this sound damping material pressing against the resonant element, each of the claims which include this limitation should be allowable.

Therefore, claim 1 should be allowable for these reasons.

Claim 7 has been amended to specify that the sound damping material is coupled to the washer.

Claims 10-12 have been canceled, and claim 13 has been amended to include the limitations of claims 10-12 therein. Nothing in the cited prior art teaches or suggests tuning the enclosure to an optimum frequency of sound damping material.

Claim 14 should be allowable for similar reasons along with the claims which depend therefrom. Claim 20 already recites the sound damping material. It is respectfully suggested that Koschwitz teaches nothing about such sound damping material, and the rejection is therefore based on hindsight.

Finally, claim 4 defines that the resonating element is an automobile. It is respectfully suggested that there is nothing in any of the cited prior art which may in any way lead any person to think that they could use this system to minimize noise in an automobile. That concept is only new with the present system, and for these reasons, it is respectfully suggested that claim 4 should be additionally allowable on its own merits.

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In view of the above amendments and remarks therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 7/24/03

  
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